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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/322,852	05/28/1999	RICHARD HASHA	305818009.10	8541

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EXAMINER

CAO, DIEM K

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 07/14/2004

18

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/322,852

Applicant(s)

HASHA ET AL.

Examiner

Diem K Cao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. Claims 1-42 remain in the application. Applicant has added claims 40-42.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/21/2004 has been entered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 4-5, 7-13, 20-23, and 37-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lortz et al. (U.S. 6,438,618 B1) in view of Lawson et al. (U.S. 6,185,613 B1).
5. As to claim 1, Lortz teaches a system (event provider service; col. 6, lines 37-47) for tracking when a software component changes state (when a home device is connected to a computer control system col. 1, lines 33-49 and an alarm has been set off downstairs; col. 8, lines

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37-53) and for providing a state change notification of a change in state of the tracked software component (the event object forwards ... of the client 420; col. 8, lines 54-62), and for providing a property notification to the software component when a property of another software component is set (Software applications ... sending command messages across the network; col. 3, lines 1-15 and the event may include ... to respond accordingly; col. 1, lines 33-49 and If the television ... to the control object; col. 8, lines 45-53).

6. However, Lortz does not explicitly teach a distributed tracking system, and a tracking system and a property notification system separately, and software components of the system use services of both the tracking system and the property notification system. The system of Lortz includes the tracking function and property notification function. It would have been obvious to one of ordinary skill in the art at the time the invention was made to improve the system of Lortz by implementing the above two functions as separate systems because it would provide the users/developer a better method to implementing and maintaining the system.

7. Lawson teaches a distributed tracking system (See Fig. 1 and plurality of servers; col. 7, lines 61-67 and Each server has ... local event consumers; col. 4, lines 63-65 and server 12 each ... event registry; col. 8, lines 39-44 and local broker; col. 9, lines 25-30 and The event globalization running on each individual server; col. 19, line 45 – col. 20, line 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Lortz and Lawson because it improves the performance of the system, when using distributed system, if one server down, the system still running.

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8. **As to claim 2**, Lortz teaches an event notification system for providing an event notification to the software component when at least one of the software component and another software component generates an event (server 30, event filters 31, a client can registers an interest in events; col. 6, lines 48-61).

9. **As to claim 4**, Lortz teaches a directory component (server 30, event filters 31) that receives a tracking reference and returns a corresponding behavioral reference (pointer back to the client ... of that filter 31; col. 7, line 51 – col. 8, line 13).

10. **As to claim 5**, Lortz teaches a system (event provider service; col. 6, lines 37-47) for tracking when a software component changes state (when a home device is connected to a computer control system col. 1, lines 33-49 and an alarm has been set off downstairs; col. 8, lines 37-53) and for providing a state change notification of a change in state of the tracked software component (the event object forwards ... of the client 420; col. 8, lines 54-62), an event notification system for providing an event notification to the software component when at least one of the software component and another software component generates an event (server 30, event filters 31, a client can registers an interest in events; col. 6, lines 48-61

11. However, Lortz does not teach a distributed tracking system, and the distributed tracking system and an event notification system separately, and software components of the system use the services of the tracking system and the event notification system. The system of Lortz

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includes the tracking function and event notification function. It would have been obvious to one of ordinary skill in the art to improve the system of Lortz by implementing the above two functions as separate systems because it would provide the users/developer a better method to implementing and maintaining the system.

12. Lawson teaches a distributed tracking system (See Fig. 1 and plurality of servers; col. 7, lines 61-67 and Each server has ... local event consumers; col. 4, lines 63-65 and server 12 each ... event registry; col. 8, lines 39-44 and local broker; col. 9, lines 25-30 and The event globalization running on each individual server; col. 19, line 45 – col. 20, line 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Lortz and Lawson because it improves the performance of the system, when using distributed system, if one server down, the system still running.

13. **As to claim 7**, see rejection of claim 4 above.

14. **As to claim 8**, Lortz teaches a communications bus (high performance serial bus; col. 2, lines 54-63), at least one server node (device A, control object 25; col. 6, lines 36 – 62 and Fig. 3) and at least one client node (home computer 1; col. 3, lines 1-14), wherein said at least one server node, said at least one client node and said at least one bus management component are interconnected via said communications bus (Fig. 3), and wherein each of said at least one client node includes at least one client resource (client 20; col. 6, lines 37-47) for requesting notification when at least one of an event is generated (a client 20 can register an interest in

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events; col. 6, lines 48-61), a server resource (control object 25; col. 6, line 37-61) of said at least one server node changes state or a server resource of said at least one server node changes a property (property change message; col. 8, lines 37-53), a method for managing resources of the system, comprising:

tracking when a software component changes state (when a home device is connected to a computer control system col. 1, lines 33-49 and an alarm has been set off downstairs; col. 8, lines 37-53) and providing a state change notification of a change in state of the tracked software component (the event object forwards ... of the client 420; col. 8, lines 54-62); and

providing a property notification to the software component when a property of at least one of the software component and another software component is set (Software applications ... sending command messages across the network; col. 3, lines 1-15 and the event may include ... to respond accordingly; col. 1, lines 33-49).

15. However, Lortz does not teach a distributed tracking system, a bus manager having at least, one bus management component. It is well known in the art that bus mastering improves performance and is available in most modern bus architecture. It would have been obvious to improve the system of Lortz by including a bus manager because it improves performance of the system.

16. Lawson teaches a distributed tracking system (See Fig. 1 and plurality of servers; col. 7, lines 61-67 and Each server has ... local event consumers; col. 4, lines 63-65 and server 12 each ... event registry; col. 8, lines 39-44 and local broker; col. 9, lines 25-30 and The event

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globalization running on each individual server; col. 19, line 45 – col. 20, line 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Lortz and Lawson because it improves the performance of the system, when using distributed system, if one server down, the system still running.

17. **As to claim 9**, see rejection of claim 2 above.

18. **As to claim 10**, Lortz teaches receiving by the system a request from the client to track a state of the object (a client 20 can register an interest in events; col. 6, lines 48-61), watching the state of the object to detect when the object enters the up state (when the downstairs ... is connected to the network; col. 7, lines 1-20) and when the object enters the up state, first performing at least one behavior that is specified by the client to be performed when the object enters the up state (an event may be generated ... to a computer control system; col. 1, lines 33-49) and when the object is in the up state, monitoring the state of the object by the system (the downstairs burglar alarm ... event object 455; col. 7, lines 1-20).

19. However, Lortz does not teach in the same embodiment to detect when the object enters the down state, and monitoring the state of the object to detect when the object enters the down state, and when the object enters the down state, second performing at least one behavior that is specified by the client to be performed when the object enters the down state. In another embodiment, Lortz teaches client can register for event when the alarm is set off. It would have

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been obvious the client would also want to know when the object is unavailable for better monitoring and controlling.

20. As to **claim 11**, Lortz teaches wherein said providing a property notification includes first registering by the client resource to track a server resource (a client 20 can register an interest in events; col. 6, lines 48-61).

21. However, Lortz does not teach after the server resource enters the up state, second registering by the client resource to watch a property of the server resource, and after the property of the server resource is set, invoking by the server resource a property set function of the client resource. Lortz teaches the client can register for interest events at any time, and the server 30 invokes a property set function of the client resource.

22. It would have been obvious one could modify the teaching of Lortz because it is just a matter of implementation.

23. As to **claim 12**, Lortz teaches (col. 7, lines 21-50) wherein said providing an event notification includes registering by a client resource an interest in an event type (a client 20 may wish ... control object), and upon the occurrence of an event classified with said event type, providing an asynchronous event signal that is distributed to all client resources that have registered to listen for the signal (the event object 35 ... by the event object 35).

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24. **As to claim 13**, Lortz teaches wherein each event has an associated event type whereby event types are aggregated types (events from multiple control objects, events from a control object; col. 7, lines 25-37).

25. **As to claim 20**, Lortz teaches wherein said providing an event notification includes:

registering by a client resource of a client node with a listener component an interest in listening for an event, wherein said registering includes invoking a listen message and specifying an event type to the listener component (a client 20 application interested ... of that filter 31; col. 7, line 64 – col. 8, line 13); and

receiving by the client resource from the listener component an event notify message along with event information when an event of that event type is generated (the event object 35 forwards the event to the client 20; col. 7, line 64 – col. 8, line 13).

26. **As to claim 21**, Lortz does not explicitly teach wherein said providing an event notification further includes un-registering by the client resource the interest in listening for the event, wherein said un-registering includes invoking a -stop listening message along and specifying the event type to the listener component. However, un-registering the interest for an event by the client is well known the system of Lortz would implement that feature.

27. **As to claim 22**, Lortz wherein each client node has a listener component through which is routed all event related messages for all client resources registered to listen for events on the node (client application 20, in-process object; col. 7, line 64 – col. 8, line 36).

28. **As to claim 23**, Lortz teaches (col. 7, line 64 – col. 8, line 36) a listener component (in-process object) of a client node (client 20) routes event-related messages (specifying an interest) to a listener bus management component (filter 31) whereby the listener component notifies the listener bus management component to listen for all event types (events) for which client resources are registered to listen for events on the client node.

29. **As to claim 37**, Lortz teaches computer executable instructions for performing the method of claim 8 (a method for implementing ... home network; col. 2, lines 38-43).

30. **As to claim 38**, Lortz teaches a modulated data signal carrying computer executable instructions for performing the method of claim 8 (a method and device ... home network; col. 2, lines 38-43).

31. **As to claim 39**, Lortz teaches a computing device comprising means for performing the method of claim 8 (device; col. 2, lines 38-43).

32. **As to claim 40**, Lortz teaches another software component is the tracked software component (control object; col. 7, lines 21-40 and col. 8, lines 45-53).

33. **As to claims 41-42**, see rejection of claim 40 above.

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34. Claims 3, 6, 27, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lortz et al. (U.S. 6,438,618 B1) in view of Lawson et al. (U.S. 6,185,613 B1) further in view of Brown (U.S. 5,857,190).

35. **As to claim 3**, Lortz does not teach a logging system for logging records of activity of the software component. Brown teaches a logging system for logging records of activity of the software component (an event logging system; col. 2, lines 23-35). It would have been obvious to apply the teaching of Brown to the system of Lortz because it provides the users with method to detect system errors, and derive statistical data.

36. **As to claim 6**, see rejection of claim 3 above.

37. **As to claim 27**, see rejection of claim 3 above.

38. **As to claim 35**, Lortz as modified by Brown does not teach the logging is capable of being disabled. Brown teaches the log API determines whether the event is a loggable event. Thus, by removing the log API, the logging is disabled. It would have been obvious to improve the system of Lortz as modified by Brown to implementing the disabled feature because it provides the users with method to control the logging system.

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39. Claims 14-15 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lortz et al. (U.S. 6,438,618 B1) in view of Lawson et al. (U.S. 6,185,613 B1) further in view of Fernando (U.S. 6,363,435 B1).

40. **As to claim 14**, Lortz does not explicitly teach each event has an associated event type whereby event types are hierarchically organized. Fernando teaches event types are hierarchically organized (a listening object ... within the hierarchy; abstract). It would have been obvious to apply the teaching of Fernando to the system of Lortz because it provides the users with a method that permits interested objects to listen for events occurring in a hierarchical object model.

41. **As to claim 15**, Lortz does not teach registering by a client resource for a particular event type includes registering the client resource for all event types falling with the hierarchical classification for the particular event type. Lortz teaches client can register for all events of a particular device/object control (col. 7, lines 21-40).

42. **As to claim 19**, Lortz does not teach the hierarchy of an event type embedded in the identification of the event type. Fernando teaches the hierarchy of an event type embedded in the identification of the event type (a listener object ... the A object; col. 9, lines 33-63).

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43. Claims 16-18, 24-26 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lortz et al. (U.S. 6,438,618 B1) in view of Lawson et al. (U.S. 6,185,613 B1) further in view of Pohlmann et al. (U.S. 6,446,136 B1).

44. **As to claim 16**, Lortz does not teach wherein event types include a timer event type. Pohlmann teaches event types include a timer event type (discrete event; col. 4, lines 19-48).

45. **As to claim 17**, Lortz does not teach a timer event type is one of a catastrophic timer event, a warning timer event and an informational timer event. Pohlmann teaches event type could be discrete or non-discrete (col. 4, lines 19-48). It would have been obvious the system of Lortz could implement different types of event that client interests in.

46. **As to claim 18**, see rejection of claim 17 above.

47. **As to claim 24**, Lortz does not explicitly teach each listener component includes a listener table cache that contains a mapping from each event type for which a listen request has been registered and for each client that has registered for the event type, such that when the listener component receives an event notification, the listener component accesses the listener table cache to notify each client resource registered to listen for the event type. Pohlmann teaches each listener component includes a table that contains a mapping from each event type for which a listen request has been registered and for each client that has registered for the event type (Event manager maintains ... maintained in the memory; col. 5, lines 3-26). It would have been

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obvious to apply the teaching of Pohlmann to the system of Lortz because it provides the users with a method for better management events.

48. **As to claim 25**, Lortz does not explicitly teach wherein the listener bus management component includes a listener table that contains a mapping from each event type to the registering client nodes such that when the listener bus management component receives an event posting, the listener bus management component notifies each node that has registered to listen for events of the event type and for events of any event type that is aggregated within the event type. Lortz teaches the bus manager component includes a filter string, and bases on the filter string, the bus manager component notify each client resource registered to listen for the event type (col. 8, lines 1-13). Pohlmann teaches each event manager includes a table that contains a mapping from each event type for which a listen request has been registered and for each client that has registered for the event type (Event manager maintains ... maintained in the memory; col. 5, lines 3-26). It would have been obvious to apply the teaching of Pohlmann to the system of Lortz because it provides the users with a method for better management events.

49. **As to claim 26**, Lortz teaches wherein the listener bus management component notifies each node that has registered to listen for events of the event type and for events of any event type that is a hierarchical parent of the event type (filter 31, filter string; col. 7, line 65 – col. 8, line 13).

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50. **As to claim 36**, Lortz does not teach a server node of said at least one server node is also a client node of said at least one client node. Pohlmann teaches a server node is also a client node of at least one client node (the event manager 402 ... subscription; col. 5, lines 3-26).

51. Claims 28-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lortz et al. (U.S. 6,438,618 B1) in view of Lawson et al. (U.S. 6,185,613 B1) and Brown (U.S. 5,857,190) further in view of Pohlmann et al. (U.S. 6,446,136 B1).

52. **As to claim 28**, Lortz does not teach each of the at least one log record comprises at least one of: type information, time information, creator information and text information. Pohlmann teaches each of the at least one log record comprises at least one of: type information, time information, creator information and text information (event structure; col. 3, line 10 – col. 4, lines 18 and statefull events are stored; col. 5, lines 3-26). It would have been obvious to improve the system of Lortz by applying the teaching of Pohlmann because it provides the users with information relating with events occur in the system.

53. **As to claim 29**, Lortz does not teach the logging includes logging at a local log facility and logging at a central log facility. Brown teaches a logging at a central log facility (event logging system ... server; col. 2, lines 44-66). Although Brown does not explicitly teach a local log facility, Brown teaches the log API reports event in batch. Obviously, there is local log facility to store all the events before events are being reported.

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54. **As to claim 30**, Lortz does not explicitly teach each client node includes an instance of a local log facility which receives all log records from various software components on the client node buffers the log records until they are transmitted to the central log facility. See rejection of claim 29 above.

55. **As to claim 31**, Lortz as modified does not teach a local log facility is configured to forward its records to another local log facility instead of the central log facility. One of ordinary skill in the art could modify the system of Lortz to forward the records to another local facility because there are many ways to implement a system.

56. **As to claim 32**, Lortz does not teach there is only one instance of the central log facility for the whole system which accepts all log records from all components within the system and whereby the central log facility provides for the final storage of logging information. Brown teaches there is only one instance of the central log facility for the whole system which accepts all log records from all components within the system and whereby the central log facility provides for the final storage of logging information (a group of interoperable servers ... multiple databases to store event information... event logging system; col. 2, line 57 – col. 3, line 45).

57. **As to claim 33**, Brown teaches the central log facility provides long term, off line, archival of the entire system (event information are stored in multiple database; col. 3, lines 1-45).

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58. **As to claim 34**, Lortz as modified does not teach the central log facility provide for on-line viewing of a desired portion of the log records. It is well known in the art that information from the database could be view on line. It would have been obvious the system of Lortz as modified could implement those well-known features for better control and monitoring.

Response to Arguments

59. Applicant's arguments with respect to claims 1-39 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diem K Cao whose telephone number is (703) 305-5220. The examiner can normally be reached on Monday - Thursday, 9:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703) 305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Any response to this action should be mailed to:

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Diem Cao

A handwritten signature in black ink, appearing to read "Diem Cao", written in a cursive style.